

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

| | | |
|--------------------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Case No. 1:22-CV-007 |
| |) | |
| FUNDS SEIZED FROM WELLS |) | |
| FARGO ACCTS. ENDING IN 3693, |) | |
| 1970, 2039, AND VENMO/PAY PAL |) | |
| ENDING IN 2280, |) | |
| |) | |
| Defendant. |) | |

DECLARATION OF PUBLICATION

COMES NOW, the United States of America, by and through David H. Estes, United States Attorney for the Southern District of Georgia, and states as follows:

A Notice of Forfeiture Action was posted on an official government website (www.forfeiture.gov) for 30 consecutive days, beginning February 6, 2022, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions, as evidenced by Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted, this 11th day of March 2022.

DAVID H. ESTES
UNITED STATES ATTORNEY

/s/ Xavier A. Cunningham

Xavier A. Cunningham
Assistant United States Attorney
New York Bar Number: 5269477

P.O. Box 8970
Savannah, Georgia 31412
(912) 652-4422

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

| | | |
|--------------------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Case No. 1:22-CV-007 |
| |) | |
| FUNDS SEIZED FROM WELLS |) | |
| FARGO ACCTS. ENDING IN 3693, |) | |
| 1970, 2039, AND VENMO/PAY PAL |) | |
| ENDING IN 2280, |) | |
| |) | |
| Defendant. |) | |

CERTIFICATE OF SERVICE of DECLARATION OF PUBLICATION

This is to certify that I have served all the parties in this case in accordance with the Notice of Electronic Filing that was generated as a result of electronic filing in this Court.

This 11th day of March 2022.

/s/ Xavier A. Cunningham

Xavier A. Cunningham
Assistant United States Attorney
New York Bar Number: 5269477

P.O. Box 8970
Savannah, Georgia 31412
(912) 652-4422

Exhibit A

Attachment 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
COURT CASE NUMBER: 1:22-CV-7; NOTICE OF FORFEITURE ACTION**

Pursuant to 21 U.S.C. § 853, 21 U.S.C. § 881 and 18 U.S.C. § 981, the United States filed a verified Complaint for Forfeiture against the following property:

Venmo/PayPal Card Holder #5143-7724-0632-2280, VL: \$1,833.50 Acct# 5143-7724-0632-2280 (21-DEA-682259) which was seized from Conway James Rhinehart on July 29, 2021 at PayPal FBO, 2211 N. 1st Street, located in San Jose, CA

Wells Fargo Bank, N.A., Acct. #1010300971970, VL: \$18,585.93 Acct# 1010300971970 (21-DEA-683003) which was seized from Conway James Rhinehart on July 29, 2021 at Wells Fargo Bank, N.A., P.O. Box 1416 MAC D1111-01A, located in Charlotte, NC

Wells Fargo Bank, N.A., Acct. #9352683693, VL: \$26,467.50 Acct# 9352683693 (21-DEA-683006) which was seized from Conway James Rhinehart on July 29, 2021 at Wells Fargo Bank, N.A., P.O. Box 1416 MAC D1111-01A, located in Charlotte, NC

Wells Fargo Bank, N.A., Acct. #1927582039, VL: \$40.00 Acct# 1927582039 (21-DEA-683014) which was seized from Conway James Rhinehart on July 29, 2021 at Wells Fargo Bank, N.A., P.O. Box 1416 MAC D1111-01A, located in Charlotte, NC

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (February 06, 2022) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, mailing address is P.O. Box 1130, Augusta, Georgia 30903-1130, the physical address is 600 James Brown Boulevard, Augusta, GA 30901, and copies of each served upon Assistant United States Attorney Xavier A. Cunningham, P.O. Box 8970, Savannah, GA 31412-8970, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See

28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition need not be made in any particular form and may be filed online or in writing. You should file a petition not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition form that may be mailed and the link to file a petition online. If you cannot find the desired assets online, you must file your petition in writing by sending it to Assistant United States Attorney Xavier A. Cunningham, P.O. Box 8970, Savannah, GA 31412-8970. This website provides answers to frequently asked questions (FAQs) about filing a petition. You may file both a verified claim with the court and a petition for remission or mitigation.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between February 6, 2022 and March 07, 2022. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Funds Seized From Wells Fargo Accts. Ending In3693, 1970, 2039, And Venmo/Pay Pal Ending In 2280

Court Case No: 1:22-CV-7
For Asset ID(s): See Attached Advertisement Copy

| Consecutive Calendar Day Count | Date Advertisement Appeared on the Web Site | Total Hours Web Site was Available during Calendar Day | Verification that Advertisement existed on Web Site |
|--------------------------------|---|--|---|
| 1 | 02/06/2022 | 24.0 | Verified |
| 2 | 02/07/2022 | 23.9 | Verified |
| 3 | 02/08/2022 | 23.9 | Verified |
| 4 | 02/09/2022 | 23.9 | Verified |
| 5 | 02/10/2022 | 23.9 | Verified |
| 6 | 02/11/2022 | 23.8 | Verified |
| 7 | 02/12/2022 | 23.9 | Verified |
| 8 | 02/13/2022 | 23.9 | Verified |
| 9 | 02/14/2022 | 23.9 | Verified |
| 10 | 02/15/2022 | 23.9 | Verified |
| 11 | 02/16/2022 | 23.9 | Verified |
| 12 | 02/17/2022 | 23.9 | Verified |
| 13 | 02/18/2022 | 23.9 | Verified |
| 14 | 02/19/2022 | 23.9 | Verified |
| 15 | 02/20/2022 | 24.0 | Verified |
| 16 | 02/21/2022 | 23.9 | Verified |
| 17 | 02/22/2022 | 23.9 | Verified |
| 18 | 02/23/2022 | 23.9 | Verified |
| 19 | 02/24/2022 | 23.8 | Verified |
| 20 | 02/25/2022 | 23.8 | Verified |
| 21 | 02/26/2022 | 23.9 | Verified |
| 22 | 02/27/2022 | 23.8 | Verified |
| 23 | 02/28/2022 | 23.9 | Verified |
| 24 | 03/01/2022 | 23.9 | Verified |
| 25 | 03/02/2022 | 23.9 | Verified |
| 26 | 03/03/2022 | 23.9 | Verified |
| 27 | 03/04/2022 | 23.9 | Verified |
| 28 | 03/05/2022 | 23.9 | Verified |
| 29 | 03/06/2022 | 23.8 | Verified |
| 30 | 03/07/2022 | 23.9 | Verified |

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.